

MEMO ENDORSED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ONE HANOVER, LLC,

X

Plaintiff,

- against -

Civil Action No.: 22-2723 (JGLC)

FINAL JUDGMENT ON CONSENT

THE WITKOFF GROUP LLC, SYMPHONY CP
(PARK LANE) OWNER LLC, NEW VALLEY LLC
and HIGHGATE HOTELS, INC.,

Defendants.

-----X

Plaintiff ONE HANOVER, LLC having filed an Amended Complaint against Defendants SYMPHONY CP (PARK LANE) OWNER LLC, HIGHGATE HOTELS, INC. and other defendants; having asserted claims for trademark infringement; and the parties having agreed to resolve this matter and having entered into a Settlement Agreement for that purpose; and such Settlement Agreement providing for, *inter alia*, the entry of a Final Judgment on Consent without an admission of wrong doing, fault or liability on the part of any party; and for good cause shown; it is,

ORDERED and ADJUDGED that (A) SYMPHONY CP (PARK LANE) OWNER LLC and HIGHGATE HOTELS, INC., together with their officers, agents, servants, employees, and those persons in active concert with them, are hereby permanently enjoined and restrained from (1) reproducing, copying, displaying, the word mark HARRY'S or any mark similar to, or substantially indistinguishable therefrom including HARRY'S NEW YORK BAR on the services listed in Plaintiff's Trademark Registrations or any product/service related thereto, and (2) advertising, promoting, importing, selling, marketing, offering for sale or otherwise distributing their infringing services or goods in connection with the word mark HARRY'S or

any mark similar to, or substantially indistinguishable therefrom, and (3) holding themselves out as, or otherwise representing themselves to be, the owners of, or otherwise authorized to use, the “HARRY’S” Trademark or (4) from in any other way infringing Plaintiff’s “HARRY’S” word mark or (5) effecting assignments or transfers, forming new entities or associations or utilizing any other means or devices for the purpose of circumventing or otherwise avoiding the prohibitions set forth in numbers (1) through (4) hereof; and (B) the parties’ entry into this Final Judgment on Consent is without an admission of wrong doing, fault or liability on the part of any party; and

The Clerk is directed to enter Judgment which will go into effect accordingly on September 7, 2023.

Dated: New York, New York

July 8, 2023

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Attorneys for Defendants

SO ORDERED.

Dated: July 11, 2023
New York, New York

Jessica Clarke
Hon. Jessica G. L. Clarke
United States District Judge